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UNITED STATES DISTRICT COURT FOR THE

CENTRAL DISTRICT OF CALIFORNIA

SETH D. HARRIS[1], Acting Secretary, United States Department of Labor, Plaintiff, v. **GREATBANC TRUST COMPANY,** et al., Defendants.	Case No. EDCV12-1648-R (DTBx) **NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT GREATBANC's AFFIRMATIVE DEFENSES** Date: March 4, 2013 Time: 10:00 a.m. Hon. Manuel L. Real Ctrm: 8

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[1] This substitution is made pursuant to Fed. R. Civ. P. 25(d) following the resignation of Hilda L. Solis and the appointment of Seth D. Harris as the Acting Secretary of Labor.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on February 4, 2013, Plaintiff SETH D. HARRIS, Acting Secretary of the United States Department of Labor ("Secretary"), will appear and present this Motion to Strike the Affirmative Defenses of Defendant GreatBanc on March 4, 2013, at 10:00 a.m., or as soon thereafter as this matter may be heard in Courtroom 8 of the United States District Court for the Central District Court of California, 312 North Spring Street, Los Angeles, California 90012, the Honorable Manuel L. Real presiding. The Secretary's motion is brought pursuant to Rule 12(f) of the Federal Rules of Civil Procedure. This motion is made following the conference of counsel pursuant to L.R. 7-3 which took place on February 1, 2013.

This motion is based upon this notice of motion, the attached memorandum in support, the pleadings filed in this case, and such oral argument as may be presented should a hearing be required.

Dated: February 4, 2013

For the Secretary:

M. PATRICIA SMITH
Solicitor of Labor

TIMOTHY D. HAUSER
Associate Solicitor
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RISA D. SANDLER
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/s/________________________________
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